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April 21, 2006

Ms. Beth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, KY 40602-0615

Re: Petition to Establish Generic Docket to Consider Amendments to  
Interconnection Agreements Resulting from Changes of Law  
KPSC 2004-00427

Dear Ms. O'Donnell:

BellSouth Telecommunications, Inc. ("BellSouth") submits this letter to provide the Commission with notice of the recent Order issued by the Alabama Public Service Commission ("Alabama Commission") in connection with the Change of Law proceeding in that state.

On April 20, 2006, the Alabama Commission issued its Final Order Resolving Disputed Issues in its Generic Change of Law proceeding. Enclosed for the Commission's review and consideration is a copy of the Alabama Commission's Final Order on all of the "change of law" issues.

With respect to the question of whether or not a state commission has the authority pursuant to Section 271 to require BellSouth to include de-listed network elements in its interconnection agreements entered into under Section 252, the Alabama Commission ruled that it did not have such authority. The Alabama Commission stated: "Given the fact that the Commission's sole authority to review interconnection agreements is derived from § 252 and the interplay between §§ 251 and 252, *it does not appear that the Commission has the requisite jurisdiction* to compel the inclusion of the § 271 elements in dispute in this proceeding in interconnection agreements that are submitted to the Commission for its review pursuant to § 252. Further, there appears to be no express or implied obligation on the part of BellSouth to negotiate the terms and conditions regarding § 271 elements." Order dated April 20, 2006, Alabama Public Service Commission, Docket No. 29543, at pp.4-5 (emphasis added).

BellSouth respectfully requests that the Commission adopt BellSouth's position on each of the issues in this matter as quickly as is possible.

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One paper copy of this filing is provided for filing in case 2004-00427. The attached certification for case 2004-00427 certifies that this filing was filed electronically today and served by email on parties of record. Parties of record can access the information at the Commission's Electronic Filing center located at <http://psc.ky.gov/efs/efsmain.aspx>.

Yours very truly,

/s/

Creighton E. Mershon, Sr.

Enclosure

cc: Parties of Record

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**CERTIFICATION FOR 2004-00427**

I hereby certify that the electronic version of this filing made with the Commission this 21st day of April 2006 is a true and accurate copy of the documents filed herewith in paper form on April 21, 2006, and the electronic version of the filing has been transmitted to the Commission. An electronic copy of the Read1st document has been served electronically on parties.

/s/  
Creighton E. Mershon, Sr.

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